

Robert L. Newmark

*36 Lake Forest Drive
St Louis, Missouri 63117*

September 22, 2009

Honorable Judge Carol Jackson
c/o Jeff Smith
4059 Flora
St. Louis, MO 63110

Re: Jeff Smith

Dear Judge Jackson:

I am writing to convey my personal impressions of the character and quality of Jeff Smith for your consideration in connection with his sentencing. As I understand your task, you are presented with the difficult challenge of making sure that the punishment Jeff receives meets the crime he committed, consistent with the Federal Sentencing Guidelines. You are, however, permitted to consider atypical circumstances that were not and could not have been taken into account when the Guidelines were created. I believe Jeff's case is atypical in many respects, and I urge you to consider his unique circumstances in fashioning a sentence that will most benefit Jeff and society at large.

I have known Jeff for several years. I first met him as he was contemplating a run for US Congress. He was very earnest, and wanted to make sure he was fully informed on key issues of the day so that when he spoke out on an issue he was not just "talking." He thought I knew a thing or two about the Palestinian/Israeli conflict, and he sought my advice on that topic. I knew the race would be crowded, and I had personal relationships with others who ultimately decided to run. So although I was willing to help Jeff, I did so cautiously at first. But Jeff's vivacity and tenacity were ultimately overwhelming, and I became an enthusiastic supporter. We have served on community boards together since then, including the National Conference for Community and Justice of Metropolitan St Louis and for the American Jewish Committee. Please note that I am a practicing attorney with Bryan Cave LLP, although I have not had the privilege to appear in your court because I principally focus on transactional matters and corporate counseling in my practice.

I don't think I have ever met anyone quite like Jeff. He has a tremendous sense of compassion for the down-trodden in our society, a belief that together we can accomplish so much to improve our world, and a keen awareness of the political process that enables him to be effective, even when outnumbered by the opposition. We have lost a great leader as a result of something that, in his own words, was incredibly stupid.

Hon. Carol Jackson
September 22, 2009
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So why is Jeff's situation "atypical." Why should you look at this situation as something warranting a departure from the established Guidelines? Let me present three items for your consideration:

1. Many people who hold elective office in our country are effective communicators, but they squander their talents on nothing more than muckraking. *Jeff is different.* He uses his communication skills to actually get things done. His energy is contagious. And he has been a very effective Senator as a result. Jeff cannot be an effective advocate for the betterment of our society while he is serving time in prison. Our community will be better served if his punishment is crafted in such a way to take advantage of his unique skills.
2. I would venture to guess that most people in his situation refuse to admit wrongdoing, or if they admit it they do not really believe they did anything wrong. *Jeff is different.* Jeff is incredibly aware of his poor judgment in the matter before you, and feels worst about letting down all of his supporters – particularly the young people who were drawn to elective politics on his encouragement and by his example. Serving time in prison will not advance Jeff's remorse or cause him to recognize the error of his ways – he already understands that. Again, our community, and the people Jeff has most disappointed, will be best vindicated if Jeff's sentence requires him to serve them in some capacity.
3. Jeff cares about the education of our youth. Many politicians pay lip service to the idea of improving education. But few "walk the walk" the way that Jeff has. *Jeff is different.* He has long been involved in urban education issues, and served on the board of a charter school, devoting time and energy to promote the success of the students who enrolled there. Jeff's greatest accomplishments as a state Senator related to the advancement of measures designed to improve education opportunities. And Jeff remains passionate about using even his own mistakes as a teaching opportunity for others.

The inescapable conclusion is that Jeff is different, and his situation is atypical. I believe that gives you the opportunity to consider a punishment for Jeff that departs from the Guidelines and instead focuses on ensuring that the community is compensated for its loss. Require Jeff to serve the community: teaching urban youth about politics and respect for the law; coaching children and young adults on how to carry themselves in all aspects of their life, on a basketball court or in front of a federal court; using his political and communication skills to advance causes important for the region.

Thank you for your consideration and for your thoughtfulness in undertaking this difficult task.

Very truly yours,



Robert L. Newmark

Peter T. Noonan
28 Windsor Terrace
St. Louis, MO 63141
314-993-5670

September 23, 2009

Honorable Judge Carol Jackson

Your Honor,

I am writing this letter on behalf of Jeff Smith, who you are currently considering for sentencing. I met Jeff for the first time just this past February, as I was spending volunteer time working to preserve the Historic Preservation Tax Credits. I met with Jeff many times at the State Capitol Building or in my offices at Commerce Bank.

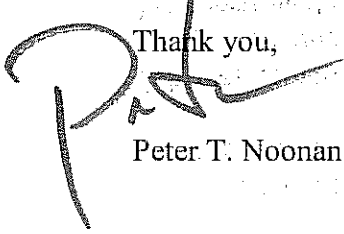
In my many discussions with Jeff, he noted that he supported the Preservation tax credits even though he was not an "economic development guy". He decided that he needed to fight for this issue because his constituents needed it. What Jeff would usually talk about were the other things on his agenda – more specifically finding thoughtful bi-partisan ways to help with childhood and adult education issues in the inner city, where he lives.

Jeff was able to get at least two new bills passed this session, while being in the minority party. This required going beyond the norm across the aisle to get these bills passed for his constituents. I recall that one was to keep fathers from his area from being locked up for falling behind on child support payments, but instead getting special job training and counseling. Jeff would tell me "If you lock them up, they will NEVER be able to make child support payments, even when they get out". This was not a glamour bill, and Jeff did not need to start this initiative – he chose to fight this fight for his community. I never found Jeff to use his politics for personal gain.

We threw a fundraiser for Jeff two months ago, where his parents were in attendance. How far and publicly he has fallen in such a short time, by his own actions. I remember saying to Jeff, "where I really want to help you is when you run for even higher office". This is a testament to Jeff's charisma and appeal, that someone that met him this year would like to help him in advancement. I will note that Jeff returned all of the checks that were collected at the fundraiser, with a personal letter of apology.

Now it is in your hands to see if you can determine how to direct those strengths to the best use in the community, to which Jeff would likely be ready willing and able to assist as required and beyond.

Thank you,


Peter T. Noonan

September 28, 2009

The Honorable Judge Carol Jackson,
United States District Judge,
Eastern District of Missouri
111 South 10th Street
Suite 14.148
St. Louis, MO 63102

Re: Jeff Smith

Dear Judge Jackson;

I am writing to share with you my experiences with, and observations of Jeff Smith which I hope you will keep in mind when determining his sentence in November.

To begin with I do not mean to belittle the laws that were broken by Jeff Smith in his actions as he was an elected official and lawmaker; a position in which he had an obligation to uphold, as well as, abide by the laws. Clearly, by his own admission, he erred in this regard, but then owned up to and admitted what he had done in a manner that shows his true character.

I am not a life-long friend of Jeff's and in fact only met him a few years ago, shortly after his congressional race but was immediately impressed with Jeff. There were many things I saw in Jeff as I got to know him that impressed me; his intelligence, his straight-forward approach to things, his ability to deal with and relate to people of all classes and ethnicities from CEO's of publicly traded companies to underprivileged people.

I wore many different hats while dealing with Jeff and getting to know him; I was the 2007 President of the St. Louis Association of REALTORS® and also served as Chairman of the Legislative and Regulatory Policy Committee for the Missouri Association of REALTORS® in 2007 as well and worked with Jeff in both capacities on issues that were important to these organizations. At the same time I was CEO of a residential real estate development firm in Clayton and appreciated Jeff's commitment and effort to revitalize the city of St. Louis.

I knew from the day I met Jeff he was not just your normal politician and wasn't in it for ego or personal gain; his heart was in it and he clearly had a desire to represent and help people, and not just any people, but people in the St. Louis area that are typically underserved and don't have a voice in politics. Jeff's desire to help others, particularly those much less fortunate than him, is clear by his accomplishments including co-founding Confluence Academies, his involvement with inner-city at-risk youth as well as his involvement with efforts to clean up and promote inner-city neighborhoods and communities.

I think I can best sum up how I feel about Jeff and what high regard I hold him in by sharing with you the entire contents of an email I sent Jeff the afternoon of August 25th after receiving Jeff's email announcing his plea and resignation:

Hi Jeff,

I can't tell you how sorry I was to hear the news earlier today....I called my former business partner, and your cousin, Mark Rubin about it...I reminded him of a conversation we had about you a couple of years ago in which I said I would not be a bit surprised if at some point you were president of the United States, or at least Governor of Missouri....I really meant it and see that kind of potential in you....

You are very correct, there are no perfect people....I realize our faiths are different but the only perfect person I'm aware of died on a cross in my beliefs...

Having said that though, while there are no perfect people, and everyone makes mistakes, what has set you apart from many people is the class with which you have handled this situation. You have owned up to your misjudgment, taken responsibility and not tried to point the finger at anyone else...I'm not surprised as I know that is your character...You are a class act...

As you know Mark and I have been through some challenges ourselves in the past 20 months...albeit much different ones, just financial, but I have had a big old dose of humility and failure and agree with your quote about not staying down...I have NO doubt you will not stay down and you will go on to do great things....I have seen from my own personal experience that adversity many times brings on greater things...

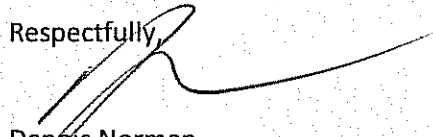
Anyway I wish you the best and look forward to you getting this behind you and moving on.

God Bless,

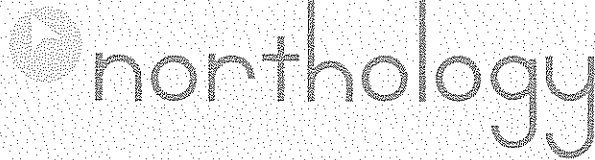
Dennis Norman

In closing, I plead with the Court and ask your Honor, with all due respect, to see that Jeff Smith poses absolutely no threat to society at all and incarceration of him will not benefit the public or community in any way. While I realize his crime cannot go unpunished I ask that your Honor use the sentencing as an opportunity to use Jeff's talents and abilities, along with his compassion, to really help the community and those within it by using community service as punishment instead of time in a correctional facility. This would allow Jeff to pay for his crime but at the same time truly benefit the citizens of our community.

Respectfully,



Dennis Norman
941 Legends View Drive
Eureka, MO 63025



September 20, 2009

To the Honorable Judge Carol Jackson:

As the founding Executive Director of the Missouri Charter Public School Association (MCPSA), I was introduced to Jeff Smith shortly after his election to the Missouri Senate and his appointment to MCPSA's Board of Directors. The reasons for his involvement with MCPSA were clear very early as he expressed his desire to drive change in the public education sector and provide higher quality public school options for children and families. Over personal conversations and evening phone calls during those first months, he discussed our mutual convictions regarding public education – all children can learn at the highest levels if given the opportunity; public education could take many forms in which to deliver those opportunities; and that true equality does not mean everyone should be directed to a static system of public learning, rather students and families should be able to choose the public school best meeting their needs. The enthusiasm and willingness with which Jeff engaged in these discussions suggested a true passion for the issue and an elected official in whom I could entrust the ideas meaning so much to me personally.

During the months of early 2007, I spent more time than I actually preferred in Jefferson City, advocating for progressive education reform and assuaging concerns of a brewing hostile takeover of public school districts. As someone often leery of the motivations and machinations of public officials, I expressed my skepticism and naïve cynicism openly to Jeff, not as a personal attack, but as someone seeking to understand how I could engender change without compromising my personal values. Jeff was patient with my questions and observations, walking me through his agenda aimed at providing better schools, health care, and opportunities for the state's less affluent and disenfranchised individuals. Some compromises and negotiation were a necessary activity in the short-term to affect longer-term outcomes, provided those compromises did not dilute the spirit of the initiative. While I had heard similar sentiments expressed before on numerous occasions, Jeff exhibited a degree of "street cred" many others lacked. He spent long hours working with the Confluence Academy Charter School, spoke sincerely and excitedly with dozens of K-12 students visiting his office, and coordinated community events aligned to the policies he promoted in Jefferson City. Over the next two years, my appreciation for Jeff as both a person and a legislator was enhanced as I better understood the true daring with which he promoted policies to help large contingents of citizens with little or no voice in government.

It was with some apprehension that I opened the public letter Jeff sent over the summer explaining the circumstances of his resignation from the Missouri Senate. The humble and dignified way in which Jeff took responsibility for his actions, apologized for his poor judgment, and noted his concern that the situation would darken young people's views of politics were both appropriate and expressed in the voice I had come to respect. In particular, his apprehension regarding disillusionment with public service struck a personal chord. Yes, the facts of the misdeeds were clear, but the person who had worked so hard to improve the lives of thousands of people was still intact. This consistency of character in spite of poor judgment motivated me to write this letter. Jeff is young, intelligent, passionate about helping people in challenging circumstances, and is now significantly humbled. Perpetual penitence will surely be exacted from Jeff for many years, perhaps the rest of his life, but I am confident that life will be one in which current

circumstances shape new perspectives and approaches to ongoing service. The drive to serve admirably is part of who he is. Jeff's absence from the community and the people for whom he works so hard would ultimately benefit no one. It is my hope to see immediate opportunities develop where Jeff can apply the personal gifts, talents, and commitment demonstrated so consistently during his years of legislative service.

Thank you for your consideration of this correspondence.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. M. North', with a stylized flourish at the end.

Aaron M. North
Northology LLC
816-456-0526

707 Holland Avenue
St. Louis, Missouri 63119

September 22, 2009

Honorable Judge Carol Jackson

Your Honor,

I am writing on behalf of Jeff Smith. Though I was not a resident of his district, I believe he worked diligently and honorably on behalf of his constituents and request that you consider this in your sentencing decision.

As a Democrat, I feel betrayed by Mr. Smith's conduct and fear that our state's most vulnerable residents will suffer the repercussions of his actions for years to come. His behavior was unethical and illegal and I expect him to pay for his crime but sending him to prison seems pointless. Mr. Smith is not a danger to the citizens of Missouri but if his energy and intellect were employed in community service, he could be a help to many.

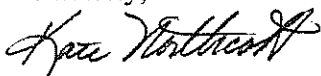
All other aspects of his time in the Senate reflected a sincere commitment to those citizens most in need of an advocate. His annual basketball tournaments offered real support to St. Louis families but also showed him to be a 'hands on' legislator. He didn't make decisions from an ivory tower but listened to and learned from those most in need and dedicated himself to advocating for them. He worked to expand health insurance to low-income adults and children with autism. He fought for equality in Missouri's education funding and for increased access to early childhood education programs for low-income preschoolers. He was the author of Senate Bill 140, which provided a positive alternative to incarceration for parents who fall behind on child support payments. All of these issues demonstrated to me that this was someone who sought to make St. Louis a better place for *all* its citizens.

Senate Bill 140 provides a good analogy. Like the dads addressed in this bill, Mr. Smith can do little to help anyone from prison. There must be a way he could use his talents constructively - perhaps as a GED tutor for the Father's Support Center.

It is my opinion that the good he did in office outweighs the mistakes he made to get there. I ask you to consider both and hope that you will find a way to bring something positive out of this situation.

Thank you for your consideration.

Sincerely,



Kate Northcott
Webster Groves



Center for the Study of Ethics & Human Values

October 6, 2009

To the Honorable Judge Carole Jackson:

I am writing this in behalf of Jeff Smith, and I would ask that you consider mitigating factors in favor of Mr. Smith as you consider an appropriate sentence.

I first met Jeff several years ago when I was a student in a course he was teaching at Washington University, where I work. I was impressed with his intelligence, his energy and his enthusiasm for our political system. I supported him when he ran for office. He seemed to me, and many others, to be a breath of fresh air, intent on improving his community and inspiring others to do so as well.

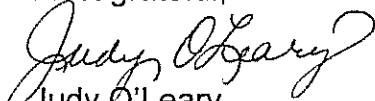
Obviously, it was a shock and a major disappointment to learn about the things Jeff admitted to doing. Clearly, what Jeff did was wrong, cannot be overlooked and must be addressed in the interests of justice. With his own destruction of a promising political career, I have to believe that Jeff is embarrassed, humiliated and humbled by his conduct. He is a fallible human being, as we all are, and he is now to bear the consequences of those failings. But I also believe that Jeff is genuinely contrite, and his crimes should be balanced against the good he has done for the community, and perhaps more significantly, the good that he can still do for the community in the future.

In his relatively short political career, Jeff has shown the extraordinary ability to bring people together- young and old, black and white, wealthy and poor- to get involved in civic programs and improvements. This is Jeff's gift and talent.

Strict justice may call for incarceration and removal from society. But...is that in the best interests of the community and the proper remedy for Jeff's flawed behavior in this matter? I strongly believe that justice would be best served by sentencing Jeff to some form of community service, where he can pay for his offenses by doing some good to redress the bad, rather than just wasting his talents in a correctional facility.

I thank you for your consideration of my appeal, and pray that you will reach a just and fair sentencing.

Most grateful,


Judy O'Leary
Executive Assistant

September 11, 2009

Honorable Judge Carol Jackson
United States District Judge
United States District Court
Eastern District of Missouri

Your Honor:

I am writing to you on behalf of my good friend Jeff Smith. I know that I am one of many, many, people who refer to him as a good friend because he is a very decent and good-hearted person who has helped many people in the course of his life. I met Jeff in early 2003 while I was working on a presidential primary campaign. I was a complete novice and his advice and guidance were invaluable to me. We quickly became good friends as well as political allies. At the time, I found myself in charge of a presidential candidate's primary race for the entire state of Missouri. I needed all the help I could get and Jeff was always there to lend a hand and an ear to my problems. I was having trouble juggling all of the work and trying to please all the volunteers and what Jeff told me was to take a deep breath, do what I can do, and as long as I was impeccable with my word, even those who disagreed with the way I was handling things would respect my efforts. Pretty good advice to get, and it worked, and is still working in many other areas of my life to this day. Did this make it more of a surprise to me when the news of his illegal activities broke? Yes, but it also made it easier to forgive him for his mistakes, this was one breach of judgment in the life of someone who I know has done so much good for others and has had a lifelong commitment to giving people a hand up.

Jeff always had a knack for getting young people and students involved and engaged in politics and civil service. He would have students who liked my candidate call me and they would come out and volunteer. These students loved Jeff, as we later witnessed in full force when he had a virtual army of them working on his campaign for Congress. I had never met so many smart, enthusiastic, and passionate young adults; Jeff's pursuit whole-heartedly became their own.

As Jeff himself has confessed to me, one of his biggest regrets in the fall out from this is the sense that he let his students and former students down in such a big way. His biggest fear is that some of them will become embittered to the system that he knows, believes in, and always taught, can do so much good.

Jeff is a very good person who did a really stupid thing. He will pay for this mistake dearly and has already begun by costing himself the ability to ever again pursue his lifelong dream of serving in public office. I know Jeff will not let this stop him from working to make things better for the city of St. Louis. He will always be an advocate for his former constituents. I hope that you will allow him to serve the people of this state through a sentence of public service that will utilize his skills as an educator. Our community would be well served to have someone like Jeff teaching in the public schools and talking to our children about how to be successful and how to avoid the kinds of mistakes that he made, and the consequences of not being impeccable with your word. I refer to Jeff's mistake as a "breach of character" because I know Jeff and have witnessed his truly good and kind character in so many ways and on so many levels. He really is a very decent human being who, like all of us, is flawed, but unlike many of us will absolutely learn and grow from this experience. I know that whatever your decision Jeff will respect it and be okay, I only hope that you will consider allowing him to continue his life's work by helping others in whatever capacity Your Honor deems appropriate.

Sincerely,



Dyan Ortbal-Avalos
Change for Missouri

Erika & James Ottolini
4141 Botanical Avenue
Saint Louis, MO 63110

The Honorable Judge Carol Jackson
c/o Jeff R. Smith
4059 Flora Place
Saint Louis, MO 63110

September 27, 2009

Your Honor,

We write to you today in support of former Senator Jeff Smith. Our wish is to show you a bit of the senator we know in the hopes that, as you restore integrity to this situation, you might consider his upstanding civic record and advocate for leniency in your capacity of judge in his case.

We have had occasion to know Jeff Smith as our senator since his election to the state legislature. Although he already had our vote because of his position on issues important to us, meeting him at the polling place certainly helped. We found the candidate to be the very embodiment of one representing politics which were "for the people and by the people." From day one, Senator Smith has always been "a man of the people" of this city and recently this state, a legislator we counted on to ask our opinions, mold the politics of his constituents into bills, and effect change initiated at the grass-roots level. As a senator, he listened, got in action, and brought about long-lasting paradigm shifts in several key areas.

As historic rehabbers in the city of Saint Louis, we were very impressed with the strength of Senator Smith's support and defense of Missouri's Historic Preservation Tax Credit. We both agree with Senator Smith that this program has been vital to the revitalization of the city and has done more than any other program to uplift formerly dilapidated urban neighborhoods, creating jobs and putting abandoned buildings back onto the tax rolls.

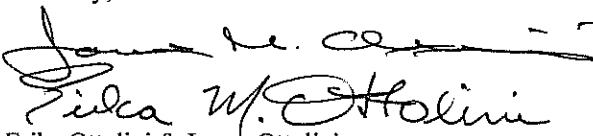
With teachers and school counselors in our family, we have been appreciative of Senator Smith's support of urban education. His efforts to create the Missouri Teaching Fellows Program to bring top-notch teachers to struggling school districts and his work to help add \$5 million in bonuses to the salaries of city teachers whose students make exceptional academic progress re-instilled a pride in the teaching profession so badly needed and made us proud to be his constituents.

The many civic projects that he took on, such as the MLK JR. Boulevard clean-up and the 3-on-3 basketball tournament and community fair were key ingredients to this city coming together. Through his efforts, his enthusiasm, and his energy, he brought people together to be part of something greater than one street, one neighborhood, one section of town. Senator Smith has been instrumental in creating unity in a town that has historically struggled with such a notion.

We know that this man can do so much more good serving the community than being kept from this calling. Saint Louis and Missouri need civil servants like him. We also acknowledge there has been wrong done here. And we trust you will do what needs to be done to right this wrong. We are certain, too, that Jeff Smith, as the authentic human being we have witnessed him to be, will accept your decision with grace and strength. Our hope is that this letter helps to illuminate the consistent level of service with which Senator Smith has lived his life.

Thank you for your time and efforts.

Sincerely,


Erika Ottolini & James Ottolini

Sept. 24, 2009

Howard F. Park
1249 South Carolina Ave., SE #3
Washington, DC 20003
202-544-6262
Hpark4@aol.com

To the Hon. Judge Carol Jackson:

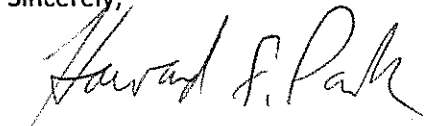
As a native St. Louisian (Metro High School, Class of 1977) I write to add my perspective about Jeff Smith and to urge that community service be central as you sentence him for the serious crime he has admitted.

Before Jeff began to rise in politics and before he was tagged as a rising leader among Missouri progressives, he was known as someone who was passionately committed to and had a real spark for city youth, youth sports and basketball. He stood out, not only because Jeff Smith is relatively short in stature but because Jeff was from the wealthy suburb of Ladue whose concern for youth was not confined to his immediate peers. Jeff reached beyond boundaries. Paying attention to inner-city youth was not on the "normal" political career path.

I believe Jeff is sincere in his contrition for the way he has disappointed so many of his supporters, including myself. I just hope that his spark for youth is still there and that he has an opportunity to begin a new life defined by service rather than his very serious crime.

Thank you for your attention.

Sincerely,



Howard F. Park

Jacqueline Patton
5942 Shulte Ave
St. Louis, MO. 63136
(314) 805-4053

Dear Judge Jackson,

I would like to take the opportunity to write you this brief letter on behalf of former State Senator Jeff Smith. I hope and pray your court will find leniency on behalf of Mr. Smith. I pray your court will take into consideration the good acts Mr. Smith has done not only in his life but also while serving us in the Missouri Senate.

Judge Jackson, people make mistakes. No one I believe lives on this earth without making mistakes in his or her life. Mr. Smith is no exception! However, I do believe Mr. Smith has learned from his mistakes and should be given the opportunity to atone for his mistakes. I definitely forgive him. I believe he should be given a second chance to learn from this mistake and to further go on and continue to serve the people in some capacity in the St. Louis area.

I'm begging this court to show Mr. Smith that leniency. I'm begging this court to allow this young man to continue serving the people of St. Louis in some capacity of civil servant. Judge Jackson my mother has raised me to believe people are not trash and when they make a mistake we don't discard them as if they are trash. We forgive them and encourage them to do better. Mr. Smith has apologized to the American People. He has asked for our forgiveness.

I sincerely hope you will find not in the rule of law, but in your heart to give this young man that second chance.

Sincerely

Jacqueline Patton

State Capitol, Room 419
Jefferson City, MO 65101
(573) 751-2272
Fax: (573) 526-7381



31st District
Warrensburg, MO 64093
(866) 277-0882
david.pearce@senate.mo.gov

MISSOURI SENATE
JEFFERSON CITY

Senator
David Pearce

September 12, 2009

The Honorable Carol E. Jackson
United States District Chief Judge
United States District Court
East District of Missouri
111 South Tenth Street, Suite 3.300
St. Louis, MO 63102

Dear Chief Judge Jackson:

I am writing on behalf of my good friend, former State Senator Jeff Smith. I have known Jeff since 2007 when we first met at the State Capitol.

I always admired Jeff for his strong work ethic and for his ability to advocate for those less fortunate. I always considered the state of Missouri privileged to have someone of Jeff's caliber in public office.

As we know, Jeff has admitted to past mistakes and is willing to accept responsibility for his actions. Seldom does one admit to such public mistakes with such honesty and candor. I think that is a very positive step.

Since Jeff has so many skills from which others could benefit, I would encourage you to place him where he can make a positive contribution. As we know, Jeff has dedicated his life to inner-city youth. Perhaps working with them would be a positive way to help pay back his debt to society.

I am not advocating that Jeff be let off scot-free, however, it would seem more purposeful to place him in an environment where he could help others. Obviously, Jeff has suffered a great deal by resigning his Senate seat and giving up the dream of ever holding public office again.

Jeff is a good friend that has made mistakes, owned up to those mistakes and is ready to make amends. I ask in his sentencing that he is placed in a position to help others and thereby contribute to society.

Sincerely,

A handwritten signature in black ink that reads "David Pearce". The signature is fluid and cursive, with the first name "David" and last name "Pearce" clearly distinguishable.

David Pearce
State Senator, District 31

COMMITTEES:

APPROPRIATIONS • EDUCATION, VICE-CHAIR • FINANCIAL AND GOVERNMENTAL ORGANIZATIONS AND ELECTIONS
JOBS, ECONOMIC DEVELOPMENT AND LOCAL GOVERNMENT • VETERANS' AFFAIRS, PENSIONS AND URBAN AFFAIRS • EDUCATED CITIZENRY 2020 COMMITTEE
JOINT COMMITTEE ON CAPITOL IMPROVEMENTS AND LEASES OVERSIGHT • JOINT COMMITTEE ON TERRORISM, BIOTERRORISM AND HOMELAND SECURITY

Timothy David Person, Jr.

6125 South Grand
St. Louis, MO 63111
314/481-3038

September 10, 2009

The Honorable Carol E. Jackson
United States District Judge
Eastern District of Missouri

To the Honorable Judge Jackson:

I am writing this providing this letter reference on behalf of Mr. Jeff Smith who is scheduled to be arraigned before you in the near future. I suspect, nobody will be more surprised that I am offering this letter of support for Mr. Smith than Mr. Smith.

I first became familiar with Mr. Smith during his run for United States Congress in 2004, although, at that time, I had not met him personally, I noticed that he was a hard worker, studious and had a knack for quickly developing friendships. Although these are qualities that are held by many in the political arena, I also noticed that Mr. Smith seemed to have a command of the issues not only from a technical sense but he seemed to have the ability to understand the issues as they related to the people he wanted to represent. Later, during his run for State Senate, I was able to observe him closer and once again he displayed this adroit talent for understanding the issues from both a technical and a humanistic position. He took this talent to Jefferson City with him and was able to successfully employ it to represent his district and the region. He represented the region well.

I may not have always agreed with Mr. Smith's political stances but he was a strong and effective legislator that will be missed. My heart and prayers go with him.

While I feel compelled to highlight what I feel were just a few of his attributes, I also want to recognize that Mr. Smith fell victim to his own fears. I think we all have been visited by those failings at sometime in our life, in my case many times. Refusing to acknowledge that he did wrong and believing that he could hide that very stupid thing lead to an unfortunate series of problems up to his conviction. I do pray that he, and we, will be stronger for this experience. I also believe that God is not finished with Jeff Smith yet. There is plenty of good in him and I pray that those assets will be taken into consideration.

Thank you for allowing me the opportunity to offer this letter of support.

Respectfully submitted,



Tim Person, Jr.

Michael K. Peterson

October 5, 2009

The Honorable Carol E. Jackson
U.S. District Court Judge
111 South Tenth Street, Suite 14.148
St. Louis, MO 63102

RE: Jeff Smith

Dear Judge Jackson,

I have had abundant personal and professional experiences with Jeff Smith and humbly appreciate the opportunity to request consideration of a deferred or lesser sentence in his case.


I am Vice President of AT&T External Affairs in Dallas, Texas. I previously worked for AT&T in St. Louis, Missouri, which is where I came to know Jeff. As a former Iowa state legislator and candidate for U.S. Congress myself, I was drawn to Jeff Smith and his campaign because of the level of inspiration he caused in Democratic activists – and young Democratic activists especially. In our efforts to make politics and public policy relevant to people, Jeff had a rare connection with voters that was genuine and believable. To everyone's regret, especially Jeff's, his efforts to realize his dream and those of so-many others, were overzealous and rash, culminating in the forfeiture of an office in which he had accomplished so much for so many, in so little time!

While we must always endeavor to be a society of laws and consequences, I would submit that we are also a society of redemption and "second chances." I firmly believe that Jeff's service to his community is better realized NOT in a correctional facility, but rather in good works throughout the many neighborhoods of St. Louis which can benefit from his long-held commitment to economic and social justice.

As a former practicing attorney in Iowa, I understand the Court's responsibility to uphold the law and urge your greatest consideration of a result that will enable the transmission of Jeff's gifts, talents and abilities into a greater good.

Thank you.

Sincerely,



Mike Peterson
5224 Ambergate Lane
Dallas, Texas 75287
214.757.3247

To the Honorable Judge Carol Jackson,

It is a privilege for me to write this letter to you on the behalf of Jeff Smith. I first met Jeff five years ago, when as a graduate student and long shot candidate for congress, he gave a guest lecture to my American Politics class. Never before, and not sense, have I ever been more inspired by someone. I was so moved by Jeff's lecture that I promptly changed my major from psychology to political science. And after the lecture, I talked with Jeff's campaign manager and joined his long shot campaign because I desperately wanted him to represent me in congress.

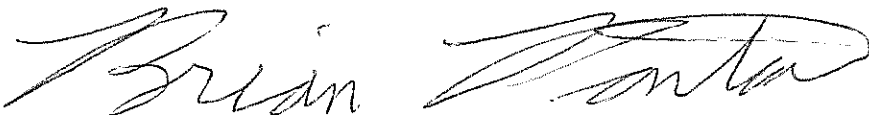
Jeff narrowly lost his bid for congress. But that didn't stop him from continuing his first passion - educating young people. We kept in touch over the next two years, occasionally seeing each other. When he learned that I took a medical leave of absence from Washington University and had heart surgery my junior year, he wrote a letter to my parents telling them how grateful he was for my work on his campaign and wishing me well. It's a letter that my parents and I still cherish to this day.

While I was recovering from my health problems, Jeff began running for the Missouri State Senate. Before I was fully healthy, and against my parents' wishes, I moved back to St. Louis and joined the senior staff of Jeff's state senate campaign. I jeopardized my health because I believed in Jeff so much. I knew that if we could get him elected that he would be able to change the community that he loved so much for the better. Though he was successfully elected, Jeff continued to teach classes in electoral politics at Washington University. As a student in one of those classes, I can say that Jeff still had that special something that originally inspired me in that American Politics class that he guest lectured in two years before. Though he was successfully elected, Jeff continued to work to better his community at the ground level. It's been a privilege to work with him to clean up Martin Luther King Dr., to put on his annual basketball tournament, and to tutor high school students with him.

Through working for him on two campaigns, being his student, performing community service with him, and being his friend, Jeff has taught me so much. He's obviously taught me more about politics than anyone else. And it's because of him, that I am probably going to pursue a career in politics. But his most important lessons have been about life. From Jeff, I've learned what it truly means to work hard for something. I've learned the importance of giving back to others and serving the community. But it may be from this most recent, unfortunate incident that I've learned my most important lesson from him. It's taught me that pursuing your dream at all cost is not worth sacrificing your integrity.

It goes without saying that Jeff made a mistake. And you are the only one who can determine the punishment that Jeff will face for that mistake. I don't know the ins and outs of the law, but I do know that you, as the judge, may exercise discretion in his sentencing. I would ask that you do so in Jeff's case. I know that Jeff would be much better able to serve the community and continue to influence young people, like myself, if he were not in prison.

Sincerely,

A handwritten signature in cursive script, reading "Brian Ponton". The signature is written in dark ink and is positioned above the printed name.

Brian Ponton



September 22, 2009

Dear Honorable Judge Jackson,

I first met Jeff Smith in 2004 at a book-signing event for Donna Brazile. "Hi. I'm Jeff Smith. I'm running for congress," he said. I told him I had heard of him and with a big smile he said: "Yeah, you and maybe thirty-five other people." We laughed and chatted for a few seconds and he moved on.

I'm a documentary filmmaker who had been looking for my next subject and I knew in that brief encounter that I had found it.

I spent the next several months following Jeff around with my camera and over the course of a year and a half I made a film called "Can Mr. Smith Get to Washington Anymore?" Although I am profoundly disappointed and saddened by the choices he made that puts him before your bench, it does not change my core opinion of him: I have never met anyone in my life who has worked harder and more selflessly for the benefit of those less fortunate around him.

When he was seven years old Jeff's dad wanted him to excel at basketball. Convinced it would happen only if he could learn with the best, his father drove Jeff from their home in Olivette to play in the inner-city. And when they drove through the city Jeff asked, "Daddy, why do the houses look so different here?" The answer to that question would come over the years as Jeff's black teammates who came to his school through the desegregation program became his closest friends.

Because of their long bus rides to and from school, Jeff would often invite his friends to stay with him during the week. And on the weekends he'd spend the night with them in the city. He learned that some were being held back in school through no fault of their own; that they weren't getting the same educational opportunities as he; that they were dealing with things he never had to think about, like going to bed hungry or fearing for his personal security.

Jeff wanted to understand the reasons for these disparities. So when he was accepted to UNC-Chapel Hill he decided to major in African American studies. There he learned that in spite of a decades-old promise, the university still hadn't gotten around to building an African American Cultural Center. Incensed by this, Jeff helped lead a student protest that included occupying the administration building. That protest eventually led to the Center's construction.

Jeff's passion is education. He knows that a good education is the best answer to fighting poverty. After working in the St. Louis Public School system, impatient with the pace of meaningful change, Jeff helped to found a charter school. Today Confluence Academy is growing by leaps and bounds and has made a huge difference in the lives of thousands of city kids.

Jeff is a wonderful teacher. I witnessed this as a student when I audited one of his poli-sci courses at Wash U. Jeff is a powerful communicator. He makes his classes meaningful. He's funny. He's entertaining. He connects kids to the real world of politics. And he has the ability help students discover for themselves - the best teaching of all.

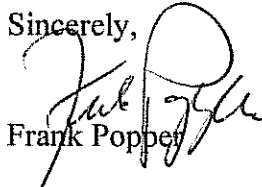
My perspective represents only a small fraction of all that Jeff has accomplished in his 35 years. Others who know him better can testify to much more. All of us who know Jeff know this: Jeff has spent his entire life making a meaningful difference in the lives of others; that he has worked harder and longer for the good of the community at large than most politicians out there.

I ask you, Judge Jackson, when making a decision on Jeff's sentence, that you please consider the notion that there is a way he can serve his sentence while continuing to contribute to the greater good, such as teaching at an inner-city school. His heart has always been, and continues to be with those kids.

Jeff's mistakes, though serious, did not affect the outcome of the election. Russ Carnahan still won. No money was stolen. No one was hurt. But now, as a result of his mistakes, Jeff has had to resign from both of his jobs, perhaps permanently. He has paid dearly. And the constituents he worked so hard to represent have been deprived of his dedicated and effective representation.

Jeff is a powerful force for change. Please consider letting his mistake become an opportunity for bettering the lives of kids somewhere in the city. Kids who have lost hope, or have never dreamed, and who could be mentored by someone who has mentored so many, to such great effect.

Sincerely,


Frank Popper

P.S. If you have not seen "Can Mr. Smith Get to Washington Anymore?" I ask you to please watch it. It will give you a sense of Jeff the person. It aired nationwide on PBS and has won prestigious awards including being on the Academy short-list for Best Feature Documentary.

09/24/2009

To the Honorable Judge Carol Jackson,

I am writing his letter in regard to Jeff Smith. I am a police officer with the St. Louis Metropolitan Police Department. I first met Jeff about two years ago when he did a ride along with us one evening. At that time I was on the midnight shift. During that time, the city was trying to get control of the police department. Jeff was sincere and concerned about our thoughts and opinions of the city possibly getting control of the police department. I must say, I was impressed with Jeff for a couple of reasons. First reason, he was in a patrol car, answering the calls with us in the middle of the night in North St. Louis. I have never seen a Senator or Representative do that. Second, what impacted me was his interest in the people he was serving. Here he was, at the time a representative campaigning and actually meeting the people in his district in some of the most deplorable situations and seeing what their daily struggles were like.

I know that may not sound like much, but most politicians meet their public at forums or gymnasiums. Not at their homes and down to their level. Since then, I have met Jeff socially and voiced my concerns about different issues involving our state government. Jeff is a very humble person and I admire that quality. Especially when I told him I was a Republican and did not vote for him. Jeff was still willing to listen to me. Since I first met Jeff, we have become friends. We correspond with emails and occasionally meet up to see how one another are doing.

I first became aware of the charge he pled guilty to from the news. I was caught by surprise by it and was in disbelief. I respect and admire the fact that Jeff admitted what he did was wrong and told the people what he did. That takes a lot of inner strength and humility to confront the public, taking responsibility for your actions.

I hope this letter gives you some insight on the Jeff Smith I personally know. People make mistakes and refuse to take responsibility for them. Jeff is the exception, in a time when many want to blame others and not take consequences of their actions.

I want to thank you for your time in reading this letter.

Respectfully Yours,

Nolan Pour

114 Central Ave
Webster Groves, MO 63119
PH; 314 961 5602
jerry_powers@sbcglobal.net

September 4, 2009

To the Editor:

Recent letters to the Post-Dispatch and P-D articles have painted a very unbalanced picture of former state senator, Jeff Smith. There is no doubt that Smith violated campaign laws, and worse yet, lied about it on more than one occasion. His apparent intent to shift blame to a deceased man was very disturbing.

Yet, when you consider what Smith initially did, it pales in comparison to the litany of transgressions by elected and appointed officials who continue to hold offices at much higher levels. Jeff illegally financed an independent party to distribute fliers about his opponent. There has been no evidence that the content of the fliers was false or that Skip Ohlsen was paid to do anything more than distribute them. Clearly, this was wrong and Jeff Smith knows it. However, sending the former senator to prison for this offense would be a much greater wrong.

Though I disagree with the majority of Smith's political positions, he has been one of the hardest working senators in that office. Furthermore, he has devoted enormous energy in service to the poorest members of the community. He personally organized basketball tournaments for kids and spent much personal time securing a vast array of health and personal services for hundreds of those in greatest need. Long before Smith ever ran for public office, he spent countless hours tutoring deprived kids and helping them in other ways. There is no doubt that his concern for others extended far beyond political gain.

Community service in lieu of prison time is often ludicrous in the cases of many convicted persons who are horrible role models and possibly even threats to society. However, in Jeff Smith's case, it would be most appropriate. I have no doubt that he would carry out such a sentence in a most exemplary manner that would benefit the community at no cost to anyone.

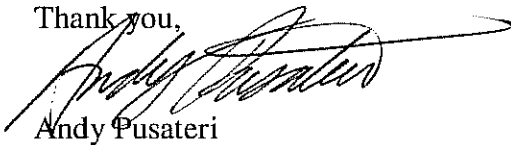
Jerry Powers

Andrew Pusateri
1976-303 Green Glen Dr.
Kirkwood, MO 63122
314-488-0586

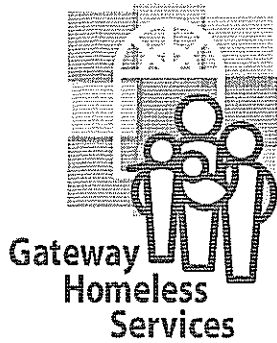
To The Honorable Carol Jackson:

I have known Jeff Smith, through his brother Andy, for approximately five years now. I have been to his annual 3-on-3 basketball tournament in the past. This tournament is always packed with people taking advantage of all types of services. This has been, and I hope can continue to be, an event that brings the community together. In the time I have known Jeff, I have always known him to be more concerned about others than himself. In fact, anytime I have been around Jeff, he has been interrupted by emails and calls from his constituents. He always takes the time to hear their individual concerns and ideas. In my time spent with Jeff, I also noticed that he often asked me questions about myself and opinions on issues that I had. I was impressed by this because I do not live in his district and I can offer him no benefit what-so-ever. I am writing on behalf of Jeff to ask for leniency in this situation. Jeff is a person like all others who has made mistakes, but his mistake has hurt no one. I think that our community, city, and state would benefit much more with Jeff out of prison and helping to contribute to society in a more productive manner. I hope you take this into consideration.

Thank you,



Andy Pusateri



1000 North Nineteenth Street
St. Louis, MO 63106-3515
(314) 231-1515 voice
(314) 241-3305 fax
www.gatewayhomeless.org

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Providing safe, nurturing
emergency shelter services
that empower homeless people
to move into transitional and
independent housing

September 10, 2009

The Honorable Carol E. Jackson
United States District Judge
Eastern District of Missouri

Dear Judge Jackson,

My name is Martin Rafanan. I have had the privilege of serving as the Pastor at Resurrection Lutheran Church at Fair and West Florissant north of Fair Grounds Park, as the Executive Director of the National Conference for Community and Justice of Metropolitan St. Louis, and am the current Director of Gateway Homeless Services at 1000 N. 19th Street in St. Louis. I have also served on the board of the St. Margaret of Scotland Housing Corporation and the Garden District Commission.

I have known Jeff Smith as a friend and co-worker on volunteer projects for over five years. In my experience, Jeff has been an incredible supporter of critical community work. His basketball tournament in Fair Grounds Park has been a huge success, and he has been a stalwart supporter of the work of The National Conference for Community and Justice as a board member. I have worked side-by-side with Jeff in many community service activities from the Shaw Art Fair to the clean-up of Martin Luther King, Jr. Drive just one block north of my current business address.

Jeff Smith is a talented person who could best repay his debt to society by doing community service, and continuing to "give back" to his community. He has repeatedly demonstrated great skill and ability in serving the community through his commitment to inner-city education, the recreational tournaments he has sponsored, and his willingness to bring people together to build community.

As a person who has seen Jeff's work and been a participant with him in community service, I humbly ask that you provide him with a chance to continue this service in repayment for the wrongs to which he has admitted.

If I can say more personally, I am honored to do so. I can be contacted at 314-258-0452 or mjr9201@swbell.net.

Sincerely,

Rev. Dr. Martin J. Rafanan
Executive Director

Anita G. Rao, MD
13215 SE Mill Plain, Ste. C8-505
Vancouver, WA 98684

September 26, 2009

Honorable Judge Carol Jackson

Dear Judge Jackson:

I am writing on behalf of Jeffrey Smith, whom I have known for nearly 30 years. Jeff and I went to school together through our high school years. We have kept in close contact ever since. I hold Jeff and his family in the highest regard. In spite of his recent difficulties, I have always known him to be an upstanding, responsible person and true friend. His engaging personality, intelligence, and dedication to public service could have served him well in any professional field, but he chose to enter politics largely because it best satisfied his deep commitment to helping common people achieve a common betterment of our community.


I have only known Jeff to be a reliable, selfless individual, always making time for other people, even at the expense of his own personal interests. When I asked Jeff once whether he would speak with a young student who had an interest in public service careers, Jeff immediately gave his private cell phone number to pass on to the young man. This was just after he was elected to the State Senate and had a whirlwind schedule of work and travel. He could have easily disregarded the request or given the office number of a staff worker. Of course, these private moments of volunteer service often go unnoticed or unpublicized, but they represent the heart of Jeff's dedication to the people he served, especially the youth of the community.

I am sure Jeff's record of public service and additional volunteer activities have been well detailed to you. I will highlight his dedication to teaching and education, particularly in underserved communities, and his extensive volunteer and charity work, probably best exemplified by his 3 on 3 basketball tournament at Fairground Park.

I can assure you that Jeff has suffered deeply for the mistakes he has made. Aside from public shame and a sense of letting down constituents, family, and friends, he has disappointed himself and these are all difficult burdens he will have to bear for the rest of his life. It is unfortunate that all of the good Jeff has done for Missouri has to be overshadowed and even erased by his recent error in judgment.

I would urge you strongly to consider using this ruinous event in as constructive a way as possible. I am certain there is more to be gained by requiring a community service sentence that would allow Jeff to teach the valuable lessons he has learned through his rise and tragic downfall. It would be a senseless shame to deny the community all that Jeff can offer.

Sincerely yours,



Anita G. Rao, MD

Department of Political Science
616 Serra St.
Encina Hall West, Room 100
Stanford, CA 94305-6044

August 20, 2009

The Honorable Carol Jackson
Thomas F. Eagleton Courthouse
111 S. 10th Street, Suite 3.300
St Louis, MO 63102

Dear Judge Jackson:

More than anyone else, Jeff Smith has been responsible for my involvement in public service. I am writing to give a sense of Jeff's impact on my life.

I met Jeff during my junior year at Washington University. I was inexperienced, naïve, and had little to offer Jeff, who already had substantial political experience. Most people would have ignored me, but Jeff spent countless hours listening to my career plans, introducing me to potential employers, and giving me a sense of how politics actually works. With his mentorship and encouragement, I found my dream job: a research position on a hotly contested U.S. Senate race. As a result of this opportunity, I have since become involved in other campaigns and public policy positions. Without Jeff, I never would have had these experiences. To this day, Jeff is an important mentor and friend.

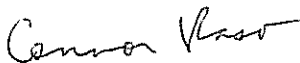
Initially, I thought I my relationship with Jeff was unique. I soon learned that Jeff had mentored many other students just like me, however. I can say without exaggeration that at least ten of my classmates joined campaigns largely because of Jeff. As Jeff's courses at Washington University became quite popular in later years, this number surely grew much larger. Jeff has touched a non-trivial fraction of the young people involved in Missouri politics today.

Jeff's contributions were not confined to Washington University. Far more than any other graduate student in the political science department, Jeff was engaged in the larger St. Louis community. He was involved in activities that have since become well known such as cofounding a successful charter school. Yet, he was also involved in countless other activities such as providing college prep tutoring to at-risk students or coaching youth basketball. As a current graduate student, I now appreciate how few students are committed to such service.

Jeff has also been a tremendous personal friend, helping me through difficult periods and pushing me to become a kinder person. I will never forget his counsel throughout the years.

Thank you for the opportunity to share my experiences.

Sincerely,

A handwritten signature in black ink, appearing to read "Connor Raso". The signature is fluid and cursive, with a long horizontal stroke at the end.

Connor Raso

2303 Blackhawk Pt.
Champaign IL 61822

October 1, 2009

The Honorable Carol Jackson
Thomas F. Eagleton Courthouse
111 S. 10th Street, Suite 3.300
St Louis, MO 63102

Dear Judge Jackson:

Although I have only met Jeff Smith a few times, I feel as though I know him well through my son Connor. My interactions with Jeff have left me energized and feeling better about the world. I so respect and believe in the causes that he stands for – fighting for those who aren't able to fight for themselves. In addition, Jeff has been a true friend to Connor, generous with his time, ideas and knowledge. I know Connor has grown as a person from having Jeff as a colleague and friend.

I nonetheless am frustrated with the injustice of the world – where some are given many chances and others pay dearly. I therefore hope to encourage you to consider the entirety of Jeff's life, and not just his recent mistakes.

Thank you for your time.

Sincerely,


Susan Raso

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